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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

-----X  
 F.H. BERTLING HOLDING KG,

Plaintiff,

-against-

RANHILL ENGINEERS & CONSTRUCTORS  
 SDN BHD,

Defendants.  
 -----X

USDC SDNY  
 DOCUMENT  
 ELECTRONICALLY FILED  
 DOC #:  
 DATE FILED: 2/29/08

Case No. 08-cv-02003 (SAS)

**EX PARTE ORDER FOR  
 PROCESS OF MARITIME  
 ATTACHMENT  
 AGAINST DEFENDANT RANHILL  
 ENGINEERS & CONSTRUCTORS SDN  
BHD**

WHEREAS, on February 28, 2008 Plaintiff F.H. BERTLING HOLDING KG, filed a Verified Complaint herein for damages amounting to US \$4,322,771.11 and praying for the issuance of Process of Maritime Attachment and Garnishment pursuant to Rule B of the Supplemental Admiralty Rules for Certain Admiralty and Maritime Claims of the Federal Rules and Civil Procedure; and

WHEREAS the Process of Maritime Attachment and Garnishment would command that the United States Marshal or other designated process server attach any and all of the Defendant's property within this District; and

WHEREAS the Court has reviewed the Verified Complaint and the Supporting Declaration and the conditions of Supplemental Admiralty Rule B appearing to exist, it is hereby

ORDERED that Process of Maritime Attachment and Garnishment shall issue against all tangible or intangible property belonging to, claimed by or being held for Defendant RANHILL

MICROFILMED

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ENGINEERS & CONSTRUCTORS SDN BHD by any garnishees within this District, including but not limited to, HSBC (USA), HSBC NA, Bank of America, Wachovia, Citibank, American Express Bank, Deutsche Bank & Trust Co., J.P. Morgan Chase, Bank of New York, USB, and/or Standard Chartered Bank in an amount up to and including US \$4,322,771.11 pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure; and it is further

**ORDERED** that any person claiming interest in the property attached or garnisheed pursuant to said order shall, upon application to the Court, be entitled to a prompt hearing at which Plaintiff shall be required to show cause why the attachment and garnishment should not be vacated or other relief granted; and it is further

**ORDERED** that supplemental process enforcing the Court's Order may be issued by the Clerk upon application without further Order of the Court; and it is further

**ORDERED** that following initial service by the United States Marshal or other designated process server upon each garnishee, that supplemental service of the Process of Maritime Attachment and Garnishment, as well as this Order, may be made by way of facsimile transmission or alternative electronic means to any garnishee that advises Plaintiff that it consents to such service; and it is further

**ORDERED** that service on any garnishee as described above is deemed effective continuous service from the time of service each day through noon of the garnishee's next business day; and it is further

**ORDERED** that pursuant to Federal Rule of Civil Procedure 5(b)(2)(D) each garnishee may consent, in writing, to accept service by any other means; and it is further

**ORDERED** that a copy of this Order be attached to and served with said Process of Maritime Attachment and Garnishment.

Dated: New York, New York  
February 28, 2008

**SO ORDERED:**

  
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U.S.D.J.

2/29/08